THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23514 of 2006

Dated:13.11.2006

Between
Indo-American Hybrid Seeds (India) Pvt Ltd., Rep., by tis Regional Manager C.Muralidhar

.....Petitioner

and

1.Govt of AP, rep., by its Principal Secretary Agriculture and Cooperation (Marketing) Department Secretariat, Hyderabad and Others.

...Respondents

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ORDER:

Learned counsel on either side fairly conceded that the issue involved in this writ petiton is squarely covered by a Judgment of this Court in WP.No.13527 of 2004 and batch dated 08.02.2005.

In the light of the above Judgment, this writ petiton is also disposed of with the following directions:

a. Seeds developed and manufactured by the petitioners and sold as certified or labeled seeks, are not subject to levy of market fee, and the demand notices issued therefor are set aside.

b. Vegetable seeds are not covered by the provisions of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966, and are not subject to levy of market fee.

c. Such part of the product, grown out of foundation seed, by a farmer, chosen by the seed manufacturers, as is not sold and used as seed, shall be liable to be levied the market fee. For this purpose, the Executive Heads of the Market Committees, shall be entitled to require the Seed Manufacturers, operating within the notified area, to furnish the relevant particulars and take consequential steps.

13-11-2006

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